

REMARKS

Applicant submits this Response in response to the Office Action mailed February 9, 2005. Applicant has amended claims 19-23. Claims 19-23 are currently pending. No new matter has been added.

In the Office Action, the Examiner rejected claims 19-23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,946,386 to Rogers et al. ("Rogers"). The Examiner has also rejected claims 19-23 under the judicially created doctrine of double patenting over claims 1-15 of U.S. Patent No. 6,778,642. Applicant respectfully traverses the rejection of the claims based on the following.¹

With respect to the double patenting rejection, as U.S. Patent No. 6,778,642 is commonly owned by the assignee of the current application, Applicant submits with this Response a terminal disclaimer in compliance with 37 C.F.R. § 1.321. Applicant submits this terminal disclaimer in order to advance prosecution of the present application, and in no way is an admission that the claims of the present application are obvious in view of the claims of U.S. Patent No. 6,778,642.

With respect to the rejection of claims 19-23 in view of Rogers, claim 19 recites a method that includes:

storing a plurality of input messages directed to a user, each input message being of a particular type selected from the group consisting of a voice message, a text message, and an image, wherein the input messages further identify different user destinations;

determining the type of each input message;
assigning an identifier for each input message based on the determined message type;

displaying a view of the input messages, the view including information identifying and the assigned identifier for each input message;

providing in the displayed view at least one icon associated with one of the input message types that, when selected, eliminates from the view all of the input messages except those associated with the input message type of the icon;

¹ As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to certain requirements applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references) is not a concession by Applicant that such requirements have been met, and Applicant reserves the right to analyze and dispute such in the future.

receiving a signal indicating a selection to view messages identifying a particular user destination; and
modifying the view of the input messages based on the received signal.

Rogers does not teach or suggest such a method. For example, Rogers does not teach or suggest “storing a plurality of input messages directed to a user, each input message being of a particular type selected from the group consisting of a voice message, a text message, and an image, wherein the input messages further identify different user destinations,” or “receiving a signal indicating a selection to view messages identifying a particular user destination,” recited by claim 19.

Applicant would first like to thank the Examiner for the courtesy of the telephonic discussion between Applicant’s representative and the Examiner on April 26, 2005 (at the suggestion of the Examiner in the Office Action) concerning the applicability of Rogers to the pending claims and possible amendments of claim 19 to overcome the prior art of record. Applicant understood that the Examiner maintained the position that the use of “destination” in the claims may be read as including both the sending party and the receiving party of a message. Applicant does not agree with such an interpretation, but in order to clarify that the “destinations” recited in claims 19-23 are “user destinations” (destinations to which communications have been directed by other parties), Applicant agreed to make clarifying amendments consistent therewith in this Response (per the Examiner’s suggested language for claim 19). Claims 19-23 have been so amended. Rogers does not provide such a description (which was acknowledged by the Examiner, although Applicant acknowledges that the Examiner has indicated that an additional search may be needed as a result of these amendments).

The absence of at least these elements of claim 19 precludes anticipation of claim 19 by Rogers, and Applicant therefore believes claim 19 to be patentable over Rogers. As a result, Applicant respectfully requests that the Examiner withdraw the rejection of claim 19. Since claims 20-22 include similar elements as those examples noted above for claim 19 that are not taught or suggested by Rogers, Applicant likewise respectfully requests that the Examiner withdraw the rejections of claims 20-22 as well.

Claim 23 recites a method (performed by a processor) that includes:

- storing a plurality of input messages directed to a user, each identifying one of at least two different user destinations;
- displaying a view of at least a subset of the input messages, the view including, for each input message, information identifying the message;
- receiving a signal indicating a selection to view messages identifying a particular destination of the at least two different user destinations; and
- modifying the view of the subset of the input messages based on the received signal.

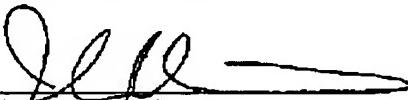
Rogers does not teach or suggest such a method. For example, Rogers does not teach or suggest “storing a plurality of input messages directed to a user, each identifying one of at least two different user destinations,” or “receiving a signal indicating a selection to view messages identifying a particular destination of the at least two different user destinations,” recited by claim 23. The absence of at least these elements of claim 23 precludes anticipation of claim 23 by Rogers. As a result, Applicant respectfully requests that the Examiner withdraw the rejection of claim 23.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that the pending claims are in condition for allowance. Reconsideration and allowance are respectfully requested. If there are any outstanding issues which need to be resolved to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned representative by phone at the number indicated below to discuss such issues. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to deposit account number 07-2347. With respect to this application, please charge any other necessary fees and credit any overpayment to that account.

Respectfully submitted,

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Joseph R. Palmieri
Reg. No. 40,760

Verizon Corporate Services Group Inc.
600 Hidden Ridge Drive
Mail Code: HQE03H14
Irving, Texas 75038
(972) 718-4800